

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA

Richmond Division

ESTATE OF JERRY
MCCALLUP, JR., *et al.*,
Plaintiffs,

v.

Civil No. 3:20cv753 (DJN)

ENVOY OF WILLIAMSBURG, *et al.*,
Defendants.

ORDER

This matter comes before the Court on its own initiative. On September 24, 2020, Plaintiff filed a Motion for Leave to Proceed *in forma pauperis* (ECF No. 1), and attached a Complaint purporting to bring suit on behalf of herself, the Estate of Jerry Theodore McCallup, Jr. (“Mr. McCallup”) and CTI, Inc., a corporation that Dr. McCallup and Mr. McCallup operated together. (ECF No. 1 at 2.) In her Complaint, Dr. McCallup sues over two dozen defendants — including “Judge Williamsburg,” “Jeremy McCallup Wife,” and “United States Army Fort Bragg”— for \$80.1 million. From what the Court can discern, Dr. McCallup alleges that these defendants incapacitated her brother, Mr. McCallup, in a scheme to isolate him from Dr. McCallup and take his money. (ECF No. 1.) Dr. McCallup claims, without supporting evidence, that she is Mr. McCallup’s beneficiary and administrator of his estate. (ECF No. 1.)

On September 29, 2020, the Court issued a Memorandum Order (ECF No. 3), ordering Plaintiff to file a particularized amended complaint within thirty (30) calendar days of the Order. In that Order, the Court warned Plaintiff that “failure to strictly comply with this Order and with applicable rules will result in DISMISSAL of this action for failure to prosecute under Federal Rule of Civil Procedure 41(b).” (ECF No. 3.) As of November 2, 2020, Plaintiff has not filed a particularized complaint. Accordingly, because Plaintiff has failed to comply with this Court’s

Memorandum Order (ECF No. 3), the Court hereby DISMISSES WITH PREJUDICE Plaintiff's Complaint (ECF No. 1).

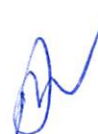
The Court hereby notifies Plaintiff that should she wish to appeal this Order, written notice of the appeal must be filed within thirty (30) days of entry hereof. Failure to file a notice of appeal within the stated period may result in the loss of the right to appeal.

This case is now CLOSED.

Let the Clerk file a copy of this Order electronically and forward a copy to Dr. McCallup at her address of record.

It is so ORDERED.

/s/



David J. Novak
United States District Judge

Richmond, Virginia
Date: November 2, 2020